

**BellSouth Corporation**  
Suite 900  
1133-21st Street, N.W.  
Washington, DC 20036-3351

kathleen.levitz@bellsouth.com

May 22, 2003

**Kathleen B. Levitz**  
Vice President-Federal Regulatory

202 463 4113  
Fax 202 463 4198

Ms Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: CC Docket No. 01-318

Dear Ms Dortch:

This is to inform you that on May 21, 2003, Phil Carver, Dave Coon, Al Varner and I, all representing BellSouth Corporation, met with Ian Dillner, John Minkoff, Jack Yachbes, and Aaron Rosenfeld of the Wireline Competition Bureau. Henry Thaggart of the Wireline Competition Bureau participated in the meeting by telephone. During the meeting, the BellSouth representatives reviewed the positions taken by BellSouth earlier in the proceeding, events occurring since our last discussion with the staff of the issues in this docket, which occurred in April 2002, and how those intervening events may affect resolution of this proceeding. The attached document was the basis for that presentation.

In accordance with Section 1.1206, I am filing this notice and the related attachment electronically and request that you place both in the record of the proceeding identified above. Thank you.

Sincerely,



Kathleen B. Levitz

Attachment

cc: Ian Dillner  
John Minkoff  
Aaron Rosenfeld  
Henry Thaggart  
Jack Yachbes

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CC Docket 01-318

BellSouth Ex Parte with FCC Staff

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May 21, 2003

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# Principles of Notice

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## ■ Goal

- Select group of measurements and standards, that apply to key aspects of processes and are critically important to CLECs (§ 1)

## ■ Guidelines

- Streamline (§ 17,18,19, 32,107)
- Harmonize State plans (§ 17,18,19,107)
- Balance objectives: service & burden (§ 7)
- Focus on .. facilities fundamental to facility-based competition. (§ 5)

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## Parties' response to the Notice were diverse

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- Comments of parties fall into several groups
  - CLECs: Retain state plans and add a national overlay plan.
  - State Commissions: Retain state plans. Do not overturn work done in the states.
  
- BellSouth's recommendation. Either:
  - Adopt a federal plan that replaces all state plans, or
  - Allow the state Commissions to continue to adopt state plans as they deem appropriate. (BellSouth Comments, January 22, 2002, paragraph 38)

# Benefits of exclusive national plan

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- Streamline / Harmony
- Allow focus on key outcome oriented measures
- Consistent performance standards
- Consistent measurement definition facilitates comparison
- Plan designed to monitor performance with appropriate penalties (not excessive)

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# Is there a need for further national action?

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- No, assuming an exclusive national plan is not feasible.
- State plans are sufficient
- However if the Commission deems some action appropriate, a 'floor plan' is the best alternative.
  - Would apply only where a state has not ordered a measurement plan.
  - Similar to the FCC's decisions in: 1) UNEs in Local Competition Order; 2) collocation intervals.
  - Provides guidelines that would allow for a state to deviate from the floor plan.
  - Could influence measurements, enforcement, performance standards in the states – during their periodic review process.

# Existing state plans are sufficient

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- Most state Commissions have ordered measurements and enforcement mechanism.
    - All BellSouth states have Commission ordered plans.
      - Covers all process areas (ordering, provisioning, repair, billing, change management, operator, E911, database)
      - Multiple measurements and approximately 2200 submetrics. Of these, 2/3 either have no activity, are diagnostic or are parity by design measurements.
      - In excess of 10,000 enforcement evaluations at Tier 1 level (# of Tier-1 submetrics times # CLEC company numbers)
    - These normally accompany the 271 application
    - The plans are well documented.
    - States have established oversight procedures.
    - Many states have already had at least one periodic review.
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# These are the key metrics discussed in Notice

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## **Preordering**

OSS Response

## **Order Status**

FOC Timeliness

Reject Timeliness

Completion Notification

% Jeopardies

Jeopardy notification interval

## **Provisioning**

% On Time Perf / Or % Missed Appts

Avg Delay Days on Misses

Installation Quality

Orders in Hold Status

## **Maintenance and Repair**

Trouble Report Rate

Time to Restore

Repeat Report Rate

14 Metrics were identified in Notice

# State plans have adequately addressed the metrics of the Notice

Functional area	Number of metrics in:	
	Notice	Typical BLS State
OSS / Preorder	1	6
Ordering	2*	13
Provisioning	8*	17
Maintenance and Repair	3	7
Billing		8
Operator Services / DA		4
Database update		3
E911		3
Trunk group		2
Collocation		3
Chg Mgt		11
Bona Fide / New Bus Requests		2
Total measurements	14	79
Total submetrics		~2200
Enforcement		71 Tier-1. 87 Tier-2. With cell level comparisons
*Completion notification, % jeopardies and jeopardy notification interval are part of BellSouth's provisioning measurements.		

# Why is overlay undesirable?

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- Increases burden but probably does not enhance the level of service.
- Guarantees inappropriate double penalty.
- Creates opportunity for unjustified disparate outcomes.
- Creates inconsistent criteria for measurements.
- State Commissions are unlikely to migrate to a National plan.

# What are the next steps?

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- Unless an exclusive national plan is contemplated, no further action is necessary.
- However if the Commission chooses to proceed, Commission must first determine direction
  - Have partial roadmaps to three different destinations.
  - Need also to evaluate the state plans already in place, the level of competition and the need for additional action.
  - Then determine the direction of this docket.
- After that, consider the details of the plan such as measurements, business rules, exclusions, enforcement, and other issues.